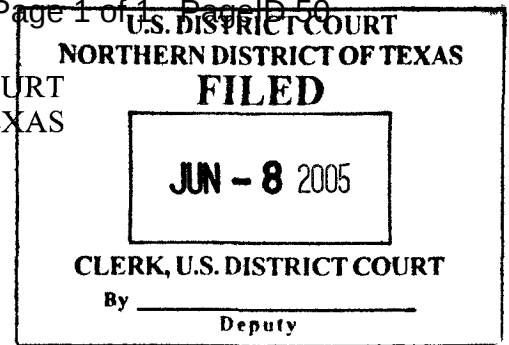


IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION



BRANDON RAY DRIVER,

Petitioner,

v.

RON L. WARD, et al.,

Respondents.

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2:05-CV-0062

ORDER ADOPTING REPORT AND RECOMMENDATION,
GRANTING PETITIONER'S MOTION TO DISMISS and
DISMISSING PETITION FOR A WRIT OF HABEAS CORPUS

Came this day for consideration the motion filed by petitioner to dismiss his Petition for a Writ of Habeas Corpus. On May 24, 2005, the United States Magistrate Judge issued a Report and Recommendation in this cause, recommending therein that petitioner's motion to dismiss be granted, and his application for a writ of habeas corpus dismissed. As of this date, no objections to the Magistrate Judge's Report and Recommendation have been filed of record.

The undersigned United States District Judge has made an independent examination of the record in this case. The Magistrate Judge's Report and Recommendation is hereby ADOPTED. Accordingly, petitioner's motion to dismiss is GRANTED, and the petition for a writ of habeas corpus filed by petitioner is hereby DISMISSED.

IT IS SO ORDERED.

ENTERED this 7th day of June 2005.


MARY LOU ROBINSON
UNITED STATES DISTRICT JUDGE